



**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
BALTIMORE IMMIGRATION COURT**

Respondent Name:

[REDACTED]
[REDACTED]

To:

[REDACTED]
[REDACTED]
[REDACTED]

A-Number:

[REDACTED]

Riders:

In Withholding Only Proceedings

Initiated by the Department of Homeland Security

Date:

[REDACTED]

ORDER OF THE IMMIGRATION JUDGE

Respondent's Motion to Reopen

Order:

On [REDACTED], 2019, the Department of Homeland Security (DHS) filed an I-863 with the Baltimore Immigration Court placing the applicant into withholding only proceedings. The applicant subsequently filed an application for withholding of removal which was granted on [REDACTED], 2020. Appeal was waived by both parties.

The applicant filed a motion to reopen with the Court on July [REDACTED], 2025. The DHS filed an opposition on July [REDACTED], 2025. The respondent, through counsel, states that applicant was presented with a form indicating he will be removed to Mexico. The applicant now expresses a fear of being removed to Mexico.

The applicant argues that time and numerical bars do not apply to this motion, and DHS should have initiated reopening these proceedings to designate a new country of removal to then give the applicant notice and opportunity to apply for protection from said third country. The Court disagrees. Here, the applicant was placed into withholding only proceedings. The applicant is not being removed to the country which he was granted withholding of removal, Guatemala. Rather, DHS has named a third country of removal as authorized. INA Sec. 241(b)(2)(E).

The Court is not persuaded that an individual granted withholding of removal is entitled to a potentially endless series of applications and full hearings before immigration judges with respect to a fear of torture in any and all potential alternate or third countries for removal.

The Court notes that litigation is underway throughout the federal court system over the issue of third-country removals and the process due to individuals who fear torture in a third, non-designated country. See, e.g., *Department of Homeland Security v. D.V.D.*, No. 24A1153 (S.Ct.

EXHIBIT A

June 23, 2025) (granting application for stay of district court injunction that prohibited third country removals without certain process).

For these reasons, the motion to reopen is DENIED.

Further, the motion to stay removal is also DENIED.



Immigration Judge: Shirole, Pallavi [REDACTED]

Appeal: Department of Homeland Security: ☐ waived ☐ reserved
Respondent: ☐ waived ☐ reserved

Appeal Due:

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Respondent Name : [REDACTED] | A-Number : [REDACTED]

Riders:

Date: [REDACTED] By: [REDACTED], Court Staff